FILED

S. DISTRICT COURT
RICT OF MARYLAND

UNITED STATES DISTRICT COURT DISTRICT OF MARYLAND

2006 FEB -6 D 3: 49

In re MICROSOFT CORP.
ANTITRUST LITIGATION

MDL Docket No. 1332 (Motz, J.) FFICE

This document relates to:

MATTHEW W. O'NEILL, individually and as representative of all similarly situated individuals,

Plaintiff,

VS.

MICROSOFT CORPORATION, 1 Microsoft Way Redmond, WA 98052-8300

Defendant.

STIPULATION

It is hereby stipulated by and between the parties to the above-identified cause, (O'Neill v.

Microsoft Corporation, Case No. 92-C-1477), through counsel, that the cause be dismissed

without prejudice.

Ben Barnow, one of the attorneys for

Plaintiff Matthew W. O'Neill

Ben Barnow Barnow and Associates, P.C. One North LaSalle, Suite 4600 Chicago, IL 60602 (312) 621-2000 David B. Tulchin, one of the attorneys for Microsoft Corporation

David B. Tulchin Sullivan & Cromwell, LLP 125 Broad Street New York, NY 10004 (212) 558-4000

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February 3, 2006

BY HAND

The Honorable J. Frederick Motz United States District Court - District of Maryland U.S. Courthouse, Room 510 101 West Lombard Street Baltimore, Maryland 21202

Re. Matthew W. O'Neill v. Microsoft Corporation

Case No. 00-C-1272

Dear Judge Motz:

I enclose herewith the original Stipulation for dismissal without prejudice of the above-referenced case. We are today filing this Stipulation electronically as well.

As you will see, I have changed in handwriting the civil number for the O'Neill case. The Stipulation had an incorrect number; and with the permission of Mr. Barnow and Mr. Tulchin, I changed by hand the civil number to the correct one.

Very truly yours,

G. Stewart Webb, Up

GSWJr:dmv Enclosure

cc: Ben Barnow, Esq., By E-mail David B. Tulchin, Esq., By E-mail

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